

**B. REMARKS**

The Examiner is thanked for the performance of a thorough search. By this amendment, Claim 10 has been canceled, and new Claims 15-19 have been added. Hence, Claims 1-9 and 11-19 are pending in this application. The amendments to the claims and the new claims do not add any new matter to this application. All issues raised in the Office Action mailed March 12, 2008 are addressed hereinafter.

**OJECTION TO CLAIM 13**

Claim 13 is objected to because of an informality. Claim 13 has been amended to address the specific issue identified in the Office Action. Accordingly, reconsideration and withdrawal of the objection of Claim 13 is respectfully requested.

**REJECTION OF CLAIMS 1-3, 7, AND 8 UNDER 35 U.S.C. § 102(e)**

Claims 1-3, 7, and 8 are rejected under 35 U.S.C. § 102(e) as being anticipated by Ishida et al., U.S. Patent Pub. No. 2004/0105113 A1. It is respectfully submitted that Claims 1-3, 7, and 8, as amended, are patentable over Ishida for at least the reasons provided hereinafter.

**Claim 1**

Ishida and the other prior art of record do not teach at least the following element of Claim 1:

a printer driver configured to

**retrieve configuration data from a printing device, wherein  
the configuration data includes command data,**

**...**

**use the command data included in the configuration  
data to translate a first command generated by the  
application program into a second command supported  
by the printing device.**

To the extent Ishida discloses retrieving configuration data from a printing device, the configuration data is limited to option data such as whether or not a printer has a double-sided tray installed or what size paper is currently loaded. *See e.g.* Ishida at paragraphs 9 and 45.

Ishida does not teach a printer driver that retrieves “command data” from a printing device as is recited in Claim 1.

The option data discussed in Ishida is retrieved from the printer and stored on a metaframe server instead of on a client so that all clients on the server will know the available options associated with a particular printer. The printer driver in Ishida, however, does not use the option data to “translate a first command generated by the application program into a second command supported by the printing device” as recited in Claim 1. Therefore, the option data retrieved from the printing device in Ishida cannot be said to disclose “command data” as recited in Claim 1. Ishida is silent as to command data, presumably because it is not relevant to its disclosure.

Accordingly, it is respectfully submitted that Claim 1 recites at least two limitations that are not disclosed, either explicitly or implicitly, by Ishida. Reconsideration and withdrawal of the rejection of Claim 1 under 35 U.S.C. § 102(e) as being anticipated by Ishida is respectfully requested.

#### Claims 2, 3, 7, and 8

Claims 2, 3, 7, and 8 all depend from Claim 1 and include all of the limitations of Claim 1. It is therefore respectfully submitted that Claims 2, 3, 7, and 8 are patentable over Ishida for at least the reasons set forth herein with respect to Claim 1. Accordingly, reconsideration and withdrawal of the rejection of Claims 2, 3, 7, and 8 under 35 U.S.C. § 102(e) as being anticipated by Ishida is respectfully requested.

#### **REJECTION OF CLAIMS 4-6 UNDER 35 U.S.C. § 103(a)**

Claims 4-6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishida in view of Hanson, U.S. Patent No. 6,148,346. At the time the invention of the present application was made, both the present application and Ishida (Appl. No. 10/638,233) were subject to an obligation of assignment to Ricoh Company, LTD. Therefore, under 35 U.S.C. 103(c), Ishida cannot properly be relied upon to support a rejection under 35 U.S.C. 103(a).

Accordingly, reconsideration and withdrawal of the rejection of Claims 4-6 under 35 U.S.C. § 103(a) is respectfully requested.

### NEW CLAIMS 15-19

This response adds Claims 15-19. Independent claim 15 includes the limitation of:  
a printer driver configured to

**retrieve bitmap data from a printing device, and**

cause the bitmap data to be stored on the non-volatile storage device

In regards to dependent claim 4, Page 4 of the Office Action admits that Ishida does not teach retrieving bitmap data from a printing device. The Office Action, however, asserts that Hansson cures the deficiencies of Ishida, and specifically cites Hanson at column 5, lines 13-22, reproduced below.

FIGS. 3-8 illustrate examples of displayed menus of GUI objects 52 that include printer specific objects 54. Another embodiment, not shown, incorporates the GUI objects 52 into the menus of the application software 32 running on the operating system. For example, a printer options window of the common command windows for Word 6.0 of a printer connected to the host computer system through a standard device driver and a printer connected to the host through the dynamic device driver 42 would be visually the same and may include similar printer options.

The printer specific objects (element 54) and GUI objects (element 52) disclosed in Hanson come from a portion of a device driver that is OS independent. *See* Hanson 4:36-57, element 34. Hanson, however, does not disclose that the printer specific objects, GUI objects, or other parts of the OS independent portion of the device driver are retrieved from a printing device. In fact, as can be seen in Figure 2, Hanson only discloses those objects residing on a host computer system.

Accordingly, it is respectfully submitted that Claim 15 recites one or more limitations that are not taught or suggested by Ishida, Hanson, or any other prior art of record. Claims 16-19 all depend from Claim 15 and include all of the limitations of Claim 15. It is therefore respectfully submitted that Claims 15-19 are patentable over Ishida, Hanson, and the other prior art of record.

### **CONCLUSION**

It is respectfully submitted that all of the pending claims are in condition for allowance and the issuance of a notice of allowance is respectfully requested. If there are any additional charges, please charge them to Deposit Account No. 50-1302.

The Examiner is invited to contact the undersigned by telephone if the Examiner believes that such contact would be helpful in furthering the prosecution of this application.

Respectfully submitted,

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